

**TOWN/VILLAGE OF NORTHFIELD
JOINT BOARD MEETING
BOARD OF TOWN SELECTMEN
BOARD OF VILLAGE TRUSTEES
Minutes of October 28, 2013**

- I. ROLL CALL.** Select Board Chair John Quinn III, Selectmen Chris Bradley, Brad Denny, Matthew Gadbois, and Kenneth W. Goslant. Trustee Chair Dennis Donahue, Trustees Kevin T. Beal (absent), K. David Maxwell, and James R. Wilson. Also present were Town Manager Robert Lewis, Acting Village Manager Stephen Fitzhugh, Acting Clerk Kenneth McCann, Michele Braun (Zoning Administrator), Peter G. DeMasi (Highway Superintendent), Fred Thumm (CVSWMD Board Chair), Peter D. Anthony (CVSWMD Treasurer), Cassandra Hemenway (CVSWMD Zero Waste Outreach Coordinator), Charles Sandlin (Williamstown's CVSWMD Board Representative), Eric Davis (All Clean Waste Services), Nicole Duncan (Green Mountain Family Practice), Craig Sullivan, MD (Green Mountain Family Practice), Charles Morse, David R. Black, Steve Lawler, and Kathleen Lott (*Northfield News*).

Prior to the regular meeting, the Town Selectmen held a Public Hearing beginning at 6:00 p.m. for the purpose of receiving written and/or oral views from the public on the Town of Northfield's possible withdrawal from the Mad River Resource Management Alliance (MRRMA) in order to enter into an agreement for solid waste management through the Central Vermont Solid Waste Management District (CVSWMD).

Charles Morse stated that he was a Town Selectman in 2010 when Northfield left the CVSWMD in order to join the MRRMA. Given MRRMA's lower per capita membership charge at that time, it was advantageous to make the switch. However, with the recent closure of the Moretown landfill, from which MRRMA received the bulk of its operating funds, it is feared that the per capita charge that MRRMA now charges (\$2.00) will go up significantly to cover this loss of revenue. Mr. Morse also noted that when Northfield left CVSWMD, it presented Northfield with a \$18,000 bill to cover the town's share of infrastructure improvements. Mr. Morse stated that Northfield never paid because it was shown that CVSWMD never sought voter approval for this long-term debt, which is a requirement. He wanted to be assured that CVSWMD would not subject Northfield to anything similar should it rejoin CVSWMD. Town Manager Lewis asked Peter Anthony, who is the CVSWMD Treasurer, if Northfield would be subject to any financial obligations beyond the \$1 per capita fee should it rejoin CVSWMD. Mr. Anthony said he did not anticipate any at this time. He added that when Northfield left CVSWMD for MRRMA in 2010, it was the opinion of the CVSWMD Board that Northfield had to compensate CVSWMD for its share of "municipal leases" as this debt could not be discharged early. He confirmed Mr. Morse's position that CVSWMD could not collect these funds since its own bylaws require a public vote to authorize such long-term debts. Mr. Anthony stated that it is not CVSWMD's business to advise whether or not Northfield should leave MRRMA for CVSWMD; he merely wanted to provide information so voters can decide for themselves. Manager Lewis asked if Mr. Anthony saw any scenario in which Northfield would have to provide funds beyond the per capita charge. Mr. Anthony stated that he could provide no guarantees since there are many unknown factors involving Act 148, which will be implemented in stages over the next few years. This legislation would put "zero waste" obligations on businesses and households with requirements aimed to ban recyclables and foodstuffs from state landfills. If there is a need to purchase additional property and/or equipment to handle an increased stream of reclaimed materials, it might be necessary for CVSWMD to seek additional funds from its member communities. He noted that CVSWMD stopped operating recycling depots in 2009 as it felt that it should focus upon not-for-profit activities and leave waste collection to private interests.

Eric Davis owns and operates All Clean Waste Services, which provides local drop off and curbside collection of trash and recyclables. He is concerned that if Northfield rejoins CVSWMD, his business will be subject to a \$30 per ton surcharge for trash collection. He felt that in order to remain in business, he would need to increase the rates he charges his customers. Mr. Anthony stated that the rates that Central Vermont trash collectors charge vary widely from town to town and do not seem to reflect whether or not they are subject to the CVSWMD surcharge. Mr. Davis stated that he started his business at the time of Northfield's switch from CVSWMD to MRRMA and said that he probably would not have lasted beyond the early days had he been responsible for paying the surcharge fee. He felt that if he had to pay the surcharge now, it would cost his business about \$11,000 a year and require him to raise his rates.

Selectman Goslant said that the discussion about switching waste management districts started a few months ago when the Moretown Landfill first was threatened with permanent closure. The idea was to make the change in order to leave the MRRMA before the possible skyrocketing of its per capita rate. He was unaware of the possible ramifications of this switch upon private haulers. He asked Mr. Davis if the closure of this landfill has any impact on him and his competitors. Mr. Davis stated that he has always contracted with Casella Waste Management to dispose of his trash. Casella owns and operates the Coventry Landfill and it did raise its disposal costs recently, which might be because it now has the only operating landfill in the state. Mr. Davis has spoken to MRRMA Administrator John Malter and he said that if Northfield retained its membership, it was likely that the current \$2 per capita fee would not rise above \$2.75. Select Board Chair Quinn said that the original estimate from Mr. Malter had been in the \$4.00 range, which is what started the current process. Mr. Davis said that Mr. Malter will attend the next Public Hearing on this matter (11/12/13) and will be able to provide the exact figures and answer any questions. In addition, Mr. Malter stated that should Northfield stay in MRRMA, he would be willing to hold a household hazardous waste collection at our recycling center.

Fred Thumm is the Chair CVSWMD's Financial Oversight Committee and he reported that CVSWMD has made great strides in the past four (4) years to control its operating costs. The aforementioned long-term debt was paid off and CVSWMD does its best to work with private haulers and not against them. He added that there are many uncertainties regarding Act 148 and even though the state has not yet provided waste management districts with much information, it is likely that all the districts will need to increase their revenues in order to comply with the new restrictions. That is why CVSWMD feels that it is necessary to maintain the hauling surcharge. Mr. Anthony added that these monies currently are being used to fund the member services that CVSWMD provides, such as household hazardous waste collections. Mr. Davis asked why CVSWMD required this surcharge payment in addition to the per capita charge when MRRMA did not. Cassandra Hemenway, who is CVSWMD's Zero Waste Outreach Coordinator, stated that CVSWMD provides a wider range of member services than does MRRMA, such as zero waste programs in the schools that include student education, compost training, information about potential grant funds, etc. CVSWMD also is working with and providing grant funds to its member communities, local businesses, etc. as Act 148 implementation approaches. In addition, CVSWMD will be holding a meeting with local haulers next week (11/05/13) in order to answer questions and address their concerns regarding Act 148.

Village Manager Fitzhugh noted that the \$30 per ton surcharge fee hits hardest those households and businesses generating large amounts of trash that might not be recycling their solid waste as efficiently as possible. He asked if it were possible to calculate how high Northfield's per capita charge might be if the surcharge were folded into that amount. Mr. Thumm did not know the exact amount of the increase. Mr. Anthony stated that CVSWMD lets its member communities know the proposed per capita rate for the next fiscal year far in advance so that this amount can be incorporated into the municipal budgets that are approved by voters on Town Meeting Day. By contrast, the surcharge fee is set by the CVSWMD Board and can periodically increase and decrease when additional funding was needed.

Chair Quinn asked if the funds generated by the surcharge were used to promote zero waste programs. Ms. Hemenway confirmed that they were. Chair Quinn then noted that if private haulers' customers learned from these programs how to reduce their output of solid waste, they likely would be saving money in the long run. Selectman Bradley asked if CVSWMD anticipated any plans to increase the per capita rate in the near future. Mr. Thumm stated that the CVSWMD Board has agreed to keep the \$1 per capita rate for at least the next fiscal year. Ms. Hemenway added that the rate probably would go up as Act 148 goes into effect. Charles Sandlin is Williamstown's appointed representative on the CVSWMD Board and he reported that he has been very pleased with the many services that CVSWMD has provided to his community.

There being no other questions or comments, the Public Hearing was closed at 7:03 p.m. The Joint Board Meeting began immediately.

- II. PLEDGE OF ALLEGIANCE.** The Board members and the public were asked to rise and recite the Pledge of Allegiance.
- III. SET/ADJUST AGENDA.** There were no changes to the posted agenda.
- IV. PUBLIC PARTICIPATION:** There was none.

V. DEPARTMENT HEAD REPORTS

- a. Zoning Administrator Michele Braun.** Ms. Braun had provided the Boards with a written report regarding the thirteen (13) Irene-damaged properties that will be purchased and then demolished by the Town of Northfield. Of these properties, six (6) have closed and at least two (2) others should be closed by the end of November. There are delays on the other properties that Ms. Braun hopes will be resolved soon. She does need the Select Board's authorization to disconnect the utilities on the Town-owned properties so that they can be prepared for demolition. Ms. Braun added that this is the optimal time for this disconnection. Motion by Selectman Denny, seconded by Selectman Bradley, to authorize that utilities be disconnected from all the FEMA buyout properties subsequent to becoming Town property. **Motion passed 5-0-0.**

Ms. Braun also would like some guidance from the Select Board regarding the actual demolition process. Chair Quinn asked which approach would be the most cost effective. Ms. Braun thought that it would be best to group the demolitions with six (6) structures demolished this winter and the rest next spring. Once the asbestos surveys have been completed, bid proposals would have to be re-solicited since the ones obtained previously have expired due to the passage of time. She added that winter demolition is preferred as the ground is frozen. Selectman Bradley would like to get moving on the six (6) Town-owned properties since FEMA funds will be paying for this. Chair Quinn asked if it were possible to go out to bid on all thirteen (13) properties at this time. Ms. Braun stated that she would have to wait until the asbestos survey of each property has been completed in order to generate an accurate RFP for the included properties. Motion by Selectman Denny, seconded by Selectman Goslant, to authorize Ms. Braun to advertise for bid proposals for the demolition of Town-owned FEMA buyout properties. Selectman Bradley noted that the Northfield Fire Department (NFD) has asked for permission to conduct fire training on the houses planned for demolition; is this possible? Ms. Braun has spoken to NFD Chief Peter J. DeMasi about this and he feels that it is too late in the year to conduct this training. He would prefer to wait until spring. Chair Quinn did not want any additional delays for the first batch of demolitions; the Board can set aside a couple of structures for the NFD later when the second round of demolition is scheduled for next spring. Selectman Bradley agreed on the need to move forward. **Motion passed 5-0-0.**

Ms. Braun then provided a brief summary of other projects she was exploring as Zoning Administrator. For example, she has applied for another Hazard Mitigation grant from the State that would provide funds to raise three (3) structures located on Water Street. Trustee Wilson asked how high the structures would be raised. Ms. Braun stated that the grant requirement is that the structure be raised one foot (1') above the "Base Flood Elevation" (BFE). Even though she felt that it probably would be better if the structures were raised a bit higher, this would be the homeowner's decision. The expected cost would be about \$150,000 per house. Raising the structures is not a State requirement but would help the homeowners by reducing their flood insurance costs and make it easier for them to sell at a later time. In addition, Ms. Braun is working with the Vermont Downtown Action Team as well as looking into another project that would set up Wi-Fi hotspots in the downtown area. She then informed the Boards that the State now has residential building energy standards that must be followed whenever renovations are done.

- b. Highway Superintendent Peter G. DeMasi.** Mr. DeMasi had provided the Boards with a written report of the Highway Department's activities in September 2013, which he now summarized. Chair Quinn asked if any the roads listed as graded were done more than once. Mr. DeMasi stated that some were graded as many as four (4) times this summer. Mr. DeMasi then supplemented his report by reporting that the contractors who built the new salt shed had done an excellent job. The structure will serve Northfield well for several years. The old location at the Town Garage where salt was stored in the past has been cleared out and will be used for indoor vehicle storage. Chair Quinn asked the total cost of the Forest Road project. Mr. DeMasi said that it was about \$15,000 and most of this amount will be covered by grant monies. He added that it is a very good road now with five (5) culverts diverting water away from the road. Also, a transportation expert from the Central Vermont Regional Planning Commission (CVRPC) had inspected the road beforehand and estimated that it would cost upwards of \$100,000 to fix its stormwater problems.

Mr. DeMasi stated that roadside mowing was costly this year because of the mid-summer wet weather. Also, Highway Foreman Ray Hudson is developing a brush cutting schedule so that the work can be completed before winter sets in. In addition, bid proposals were solicited to perform FEMA-funded repairs to Bailey Road caused by the early July rainstorms. J. Hutchins, Inc. was the low bidder (\$23,000) and they did an excellent job. Mr. DeMasi has contacted Twin State Electric and other local electric contractors on the possibility of installing new LED lighting fixtures at the Town Garage. This project would cost about \$5000 and would exclude (for now) the bathrooms and office space. Manager Lewis added that there are existing CIP funds to pay for this building upgrade. Selectman Goslant suggested contacting some non-local businesses for their estimates. Mr. DeMasi will do this.

Mr. DeMasi stated that after some delay, Vine Street now is scheduled for paving by the end of this week. Trustee Maxwell asked if the crosswalks would be repainted after the paving. Mr. DeMasi said that they would if weather permits. In addition, the Vermont Local Roads report on plow roads should be available soon. Roadside leaf collection will continue as long as possible even though the leaf picker will have to be converted over to snow removal when the first significant snowstorm is forecast. Lastly, Mr. DeMasi is working with Manager Fitzhugh on the RFP for the repairs to the wall on Elm Street.

VI. JOINT DISCUSSION

- a. Proposed Sale of Former Police Station (52 East Street).** Manager Fitzhugh noted that this is a Village building that had been an electric substation before it was more recently used as a police station. An individual has come forward looking to purchase and convert it into a mixed-use structure with an apartment, a commercial office, and shop space for his contracting business. He already has addressed and received approval from the Planning Commission and Zoning Board of Adjustment for his conversion plans. Since this was mentioned in a local newspaper article, another person has come forward to express some interest. Manager Fitzhugh stated that the next step is to post the "offer to buy" for thirty (30) days to inform Village voters of the intention to sell. Should a valid petition be received opposing the sale, a Special Village Meeting would have to be held in order to authorize the sale. Chair Quinn asked if the potential buyer was still interested even with these possible delays. Manager Fitzhugh confirmed that he was. Selectman Denny did not feel that this was the proper time for this sale since there are uncertainties regarding the area now that Northfield Savings Bank has decided to relocate its corporate headquarters elsewhere. In addition, since the Municipal Plan now is being rewritten and new community goals developed, it may turn out that the Town might have a real need for the property. Selectman Gadbois suggested that the structure could be leveled and the site used for public parking. Chair Quinn would rather see the property sold and put back on the tax rolls.
- b. Village Common Rehabilitation Project Update.** Manager Fitzhugh said that there have been unanticipated delays in the pre-construction phase of this project, which is largely because federal grant money is involved. However, the construction contractor and the construction inspector now both have been hired and we can expect construction will commence next spring. The Depot Square merchants have been contacted about this timing and there have been no objections. The first pre-construction meeting involving all the parties should be held in the next couple of weeks.
- c. LED Streetlight Replacement Project Update.** Manager Fitzhugh did not have much new to report as we are still trying to confirm all the project cost estimates. The light fixture conversion will not begin until next spring and will be done all at one time in order to save money.
- d. Town/Village Merger Transition Update.** Selectman Denny reported that the committee members will be holding a special meeting next week (11/06/13) in order to finalize their recommendations regarding the new utility commissions, etc.
- e. Public Hearing and Joint Board Meeting: Tuesday, November 12, 2013.** Because of the Veterans Day holiday (11/11/13), the Boards will meet jointly the following night. The meeting will be preceded by a second Public Hearing on the possibility of Northfield reestablishing its CVSWMMD membership.

VII. BOARD OF TOWN SELECTMEN

- a. **Approval of Minutes: October 14, 2013 (Regular Meeting).** Motion by Selectman Bradley, seconded by Selectman Denny, to approve the minutes. **Motion passed 5-0-0.**
- b. **Approval of Bills: Warrant #09-14.** Motion by Selectman Gadbois, seconded by Selectman Bradley, to approve Warrant #09-14 in the amount of \$164,670.70. Selectman Goslant noted some inconsistency in how the gravel hauling expenses were listed in the warrant. He would like the per hour hauling rate for all the invoices. Manager Lewis will obtain this information. Chair Quinn asked what happened to the old tires when new ones were purchased by the Northfield Police Department (NPD). Manager Lewis assumed that they would be recycled as they wouldn't have much tread left after being used as patrol vehicles. Chair Quinn asked if Manager Lewis has looked into the maintenance contract for the Brown Public Library's elevator. Manager Lewis said that he had and will be forwarding this information soon. **Motion passed 5-0-0.**
- c. **Approval of Bi-Weekly Payroll through October 13, 2013.** Motion by Selectman Bradley, seconded by Selectman Gadbois, to approve the bi-weekly payroll in the amount of \$52,205.40. Both Selectman Gadbois and Chair Quinn noted a recent increase in NPD overtime expenses. Manager Lewis will discuss this matter soon with Police Chief James Dziobek. **Motion passed 5-0-0.**
- d. **Special Town Meeting (Solid Waste Management District): Tuesday, November 19, 2013.** This election will be by Australian Ballot and will take place at the Northfield Middle/High School from 7:00 a.m. to 7:00 p.m. Absentee ballots are available from the Town Clerk's Office.
- e. **Status Report: Various Projects**
 1. **Town Highway Subcommittee.** Selectman Gadbois reported that the subcommittee met last week (10/25/13). He will forward a written report as soon as possible.
 2. **Economic Development Committee.** Chair Quinn asked when the committee would meet next. Manager Lewis anticipates a meeting in mid-November.
 3. **Police Officer Employment Contracts.** Chair Quinn noted from the report submitted by Chief Dziobek that stated it costs the Town approximately \$30,565 to put an officer through the Vermont Police Academy. Given this expense, he felt that the current three (3) year commitment in their employment contract following their training to serve on the NPD should be increased to five (5) years. Selectman Denny saw in this report the intention to hire an additional full-time officer. He does not remember the Select Board authorizing this. Manager Lewis said that the intention is to replace the former full-time officer (Charles Satterfield) who is now the part-time detective. Chair Quinn would like to know the impact of this new hire on current overtime and part-time officer expenses. Manager Lewis will look into this and provide a financial analysis.

VIII. BOARD OF VILLAGE TRUSTEES

- a. **Approval of Minutes: September 24, 2013 (Joint Board Meeting).** Motion by Trustee Wilson, seconded by Trustee Maxwell, to approve the minutes. **Motion passed 3-0-0.**
- b. **Approval of Minutes: October 15, 2013 (Regular Meeting).** Approval of these minutes was tabled as there was not a quorum of Village Trustees tonight who were present at this meeting.
- c. **Approval of Minutes: October 24, 2013 (Special Meeting).** Motion by Trustee Wilson, seconded by Trustee Maxwell, to approve the minutes. **Motion passed 3-0-0.**
- d. **Approval of Bills: Warrant #09-14.** Motion by Trustee Maxwell, seconded by Trustee Wilson, to approve Warrant #09-14 in the amount of \$412,299.01. **Motion passed 3-0-0.**

- e. **Approval of Revised Ordinance 2013-1 (Byam Hill Parking).** Motion by Trustee Maxwell, seconded by Trustee Wilson, to approve and sign Ordinance 2013-1, which would ban parking on Byam Hill "two hundred and fifty feet (250') northward of its intersection with Cheney Farm Road." Chair Donahue noted that after the recent Site Visit (10/15/13) on this matter, it was the Board's decision to reduce the parking ban area by about half. **Motion passed 3-0-0.**
- f. **Special Village Meeting (Power Sales Agreement Authorization): Tuesday, November 26, 2013.** Chair Donahue stated that this meeting would take place immediately before the Village Trustees' regular meeting that night. The Village is asking for voter authorization to enter into a power sales agreement "for the purchase of electric energy and capacity from solar facilities to be located in Massachusetts..."
- g. **Status Reports: Various Projects.** There was nothing additional.

IX. MANAGERS' REPORTS.

a. Village Manager Fitzhugh

- 1. **Elm Street Wall Repair Grant.** Manager Fitzhugh reported that he has applied for and received a \$12,000 grant to engineer the repairs of this wall. This is an 80/20 split grant.
- 2. **Stormwater Mitigation Plans.** Manager Fitzhugh stated that the engineering design would call for green strips on Central Street that would divert stormwater first into a retaining pond behind the American Legion and then into the Dog River. A similar project could be done on Water Street.
- 3. **Drinking Water Revolving Loan Fund.** Manager Fitzhugh stated that EPA funds in the amount of \$2,400,000 are available that could be used to replace the old water mains on Central Street, King Street, and Jarvis Lane. Manager Fitzhugh will research this further.

b. Town Manager Lewis

- 1. **Town Manager Retirement.** Manager Lewis announced that he plans to retire when his current contract expires at the end of the fiscal year (06/30/14). He added that he has enjoyed his time here in Northfield and hopes that this action will remove any impediment as Northfield moves forward in hiring a Municipal Manager for the merged community. Manager Lewis believes that the Town is in better financial condition than when he started and he thanked the Select Board and the Department Heads for helping him achieve this. Chair Quinn then thanked Manager Lewis for his dedicated service to Northfield.

X. PUBLIC PARTICIPATION: Non-agenda items. There was none.

XI. EXECUTIVE SESSION (SELECT BOARD ONLY).

Motion by Trustee Wilson, seconded by Trustee Maxwell, for the Village Trustees to adjourn. **Motion passed 3-0-0.**

The Village Trustees (and the Joint Board Meeting) adjourned at 8:52 p.m.

Motion by Selectman Bradley, seconded by Selectman Denny, for the Town Selectmen to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss the Drown legal matter with Manager Lewis present. **Motion passed 5-0-0.**

The Town Selectmen went into executive session at 8:55 p.m.

Motion by Selectman Denny, seconded by Selectman Bradley, to come out of executive session. **Motion passed 5-0-0.**

The Town Selectmen came out of executive session at 9:30 p.m. No action was taken.

XII. ADJOURNMENT. Motion by Selectman Bradley, seconded by Selectman Goslant, to adjourn. **Motion passed 5-0-0.**

The Town Selectmen adjourned at 9:32 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

These minutes are subject to approval at the next regular meeting.

An audio recording of this meeting is available in the Town Manager's Office.